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			EXAMINER
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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/796,051
Filing Date: March 10, 2004
Appellant(s): LIM ET AL.

MAILED

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Technology Center 2100

Jim Zegeer
(Registration No. 18,957)
<u>For Appellant</u>

<u>EXAMINER'S ANSWER</u>

This is in response to the Appeal Brief filed on April 03, 2006 appealing from the Office

Action mailed on October 03, 2005.

The appellant's statement of the status of amendments after final rejection

contained in the brief is correct.

REAL PARTY IN INTEREST

1.   The statement identifying the real party in interest is contained in the appeal brief

(Alcatel Canada Inc).

RELATED APPEALS AND INTERFERENCES

2.   The examiner is not aware of any related appeals, interferences, or judicial

proceedings, which will directly affect or be directly affected by or have a bearing on the

Board's decision in the pending appeal.

STATUS OF THE CLAIMS

3.   The statement of the status of claims contained in the appeal brief is correct

(Claims 7-14, 27-33, and 39-40 are on appeal and claims 1-6, 15-26, and 34-38 are

cancelled).

STATUS OF AMENDMENT

4.   The statement of the status of amendment contained in the appeal brief is

correct. This is in response to the appeal brief filed on April 03, 2006 appealing from the

Office Action (Final Rejection) mailed on October 03, 2005.

SUMMARY OF INVENTION

5.   The summary of claimed subject matter contained in the appeal brief is correct.

ISSUES

6.   The appellant's statement of the grounds of rejection to be reviewed on appeal is

correct.

GROUP OF CLAIMS

7.   The appellant's statement of the group of the claims in the appeal brief is correct.

CLAIMS APPEALED

8.   The copy of the appealed claims contained in the Appendix to the appeal brief is

correct.

PRIOR ART OF RECORD

9.   a.   US Patent No. 5,678,011, published on October 14, 1997, filed on August

25, 1995 by Baker et al.

b.   US Patent No. 5,586,260, published on December 17, 1996, filed on

February 12, 1993 by Hu.

c.   US Patent No. 5,784,058, published on July 21, 1998, filed on May 28,

1996 by LaStrange et al.

d.   US Patent No. 5,796,952, published on August 18, 1998, filed on March

21, 1997 by Davis et al.

GROUND OF REJECTION

CLAIM REJECTIONS - 35 USC § 103(a)

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:
     (a) A patent may not be obtained though the invention is not identically disclosed
or described as set forth in section 102 of this title, if the differences between the
subject matter sought to be patented and the prior art are such that the subject matter
as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall
not be negatived by the manner in which the invention was made.
     This application currently names joint inventors. In considering patentability of
the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of
the various claims was commonly owned at the time any inventions covered therein
were made absent any evidence to the contrary. Applicant is advised of the obligation
under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was
not commonly owned at the time a later invention was made in order for the examiner to
consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior
art under 35 U.S.C. 103(a).

**11.   Claims 7-12 and 39-40 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Baker et al (U.S. Patent No. 5,678,041) in view of Hu (U.S.
Patent No. 5,586,260).**

12.   As to claim 7, Baker discloses a system for authorizing a user of a client to have
access to a server via network (see abstract; and figures 1-3) comprising: means in the
client for inputting a user ID, user password, and a unique client address (URL) (figures
1 and 3; column 4 lines 1-16; and column 7 lines 3-16); communication means at the
client for passing the ID, password, and address (URL) to the server via the network in
response to a request (figures 1 and 3; column 4 lines 1-22; and column 7 lines 3-16);
means at the server to store information respecting the client and to compare the stored
information with the user ID and user password; means at the server to store dynamic
status information (resource rating and user clearance) respecting the user, the status
information being one of enabled (user clearance including violent), disabled (user
clearance not including violent) or active; and means to authorize log in of the user if the
ID and password agree with the stored information and if the user status is enabled
(user clearance including violent) or active (figures 1 and 3; column 4 line 17 to column
5 line 65; and column 6 line 49 to column 7 line 16).

However, Baker does not explicitly disclose a system for authorizing a user of a
client to have access to a server via network comprising: means in the client for storing
a unique client address; and means at the client to store dynamic status information
respecting the user, the status information being one of enabled, disabled or active.

Hu discloses a system for authorizing a user of a client to have access to a

server via network (see abstract; and figures 1-4) comprising: means in the client for

storing a unique client address (figure 3; and column 4 lines 18-58); and means at the

client to store dynamic status information respecting the user (client identity with

security), the status information being one of enabled, disabled or active (figure 4;

column 1 line 59 to column 2 line 25; and column 5 line 59 to column 6 line 11).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the means in the client of Hu with the system for

authorizing a user of a client to have access to a server via network of Baker for storing

a unique client address and dynamic status information respecting the user because

doing so would provided flexible approach to improve the authentication between client

and server and reduced the proxy server over head and improved efficiency and

utilization of the proxy server.

13.   As to claims 8-10, Baker discloses that the status information is changed to

active when the user is granted access to the server; the user is denied access to the

server if the status information is disabled; and if the statues information is active the

server compares the client address with the stored information and if the address agree

with the stored information the user is logged onto the server otherwise the user is

denied access (figures 1 and 3; column 4 line 44 to column 5 line 44; and column 6 line

49 to column 7 line 16).

14.   As to claim 11, Baker discloses that the client is an end user of an customer

service management system and the server is a service director (proxy server) having

means (processor) to manipulate a user=s private network (LAN) (figure 1; and column

3 lines 55-67).

15.   As to claims 39-40, Baker discloses that the means to authorize log in includes

means to prevent log in if the user is already logged in; and the status information

relates to whether the user is enabled, disabled or active (figures 1 and 3; column 4 line

44 to column 5 line 44; and column 6 line 49 to column 7 line 51).

16.   As to claim 12, it is rejected for the same reasons set forth to rejecting claim 7

above, since claim 12 is merely a method of operation for the apparatus defined in the

apparatus claim 7.

17.   **Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over LaStrange et al (U.S. Patent No. 5,784,058).

18.   As to claim 13, LaStrange discloses a system providing information on a client's

browser screen in response to a request from a user (see abstract; and figure 1)

comprising: a two frame window on the browser screen; an icon or symbol button

associated with a first frame window; and link means between the client and a server

whereby activation of the icon or symbol button retrieves information relating to subject

matter displayed on a second frame window from the server (see abstract; figures 5-6s; column 4 lines 3-47; column 4 line 53 to column 5 line 51).

However, LaStrange does not explicitly disclose that the information is the help information, the icon or symbol button is a help button, the first frame window is a dashboard frame window, and the second frame window is a context frame window.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify LaStrange with the information as a help information (consider link information is a help information), the icon or symbol button as a help button (consider symbol is associated with help button), the first frame window as a dashboard frame window (consider page 1 contents including link is a dashboard frame window), and the second frame window as a context frame window (consider page 2 contents is a context frame window) for providing information on a client's browser screen in response to a request from a user because doing so would provided help information from the server without over writing on the original (displayed) information.

19.   As to claim 14, LaStrange discloses the server is a customer service management services director on a multi technology network (figure 1; and column 3 line 24-35).

20.   Claims 27-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al (U.S. Patent No. 5,796,952).

21.   As to claims 27 and 31, Davis discloses a system for storing information

respecting a plurality of applications to a shared memory (figures 2-3 and 5; column 7

lines 30-49; and column 8 lines 6-13 and 43-53) comprising: a volatile memory for

storing the information (figure 2; and column 7 lines 30-49); means to allocate space in

the volatile memory to selected ones of the plurality of applications; identification means

for identifying the space allocated to each of the selected applications (figure 3; column

8 line 6 to column 9 line 2); and backup means to periodically transfer stored

information from the volatile memory to non-volatile memory (figures 2-3; column 7 lines

35-39; and column 9 lines 11-15 and 30-45).

However, Davis does not explicitly disclose that retrieves the information from the

non-volatile memory at system startup and stores the information to the non-volatile

memory at system shut down. But Davis explicitly discloses that ROM contains BIOS

system (figure 2; and column 7 lines 30-49); therefore, it would have been obvious and

known in the art at the time the invention was made to modify Davis with the

functionality of retrieve the information from the non-volatile memory at system startup

and store the information to the non-volatile memory at system shut down because

doing so would reduced data or information loss problem and saved data or information

for future use.

22.   As to claims 28-29, Davis discloses that the volatile memory is a random access

memory (RAM) and non-volatile memory is a hard disk storing device (figure 2; and

column 7 lines 30-49).

23.   As to claim 30, Davis discloses that the means to allocate space is a daemon

process (figure 2; and column 7 line 66 to column 8 line 5).

24.   As to claims 32-33, Davis discloses that the shared memory is in a server in a

communication system; and the communication system is a customer service

management system and the server is a service director (figures 1 and 3-7; column 9

lines 16-45; and column 11 line 34 to column 12 line 50).

RESPONSE TO ARGUMENTS

25.   The examiner summarizes the various points raised by the appellant and

addresses them individually.

26.   As per appellants' arguments filed on April 03, 2006, appellants argued in

substance that:

(A) Argument: The user is authorized access only if the password agrees with the

stored information and if said user status is "enabled". No such arrangement and

function is taught or suggested by the combination of Baker and Hu.

Response: Baker explicitly discloses that the server store information respecting the

client and to compare the stored information with the user ID and user password

(column 5 lines 45-65; and column 7 lines3-13) and dynamic status information

(resource rating and user clearance) respecting the user, the status information being

one of enabled (user clearance including violent), disabled (user clearance not including

violent) or active; and means to authorize log in of the user if the ID and password agree with the stored information and if the user status is enabled (user clearance including violent) or active (figures 1 and 3; column 4 line 17 to column 5 line 65; and column 6 line 49 to column 7 line 16).

Hu explicitly discloses that the client for storing a unique client address (figure 3; and column 4 lines 18-58) and dynamic status information respecting the user (client identity with security), the status information being one of enabled, disabled or active (figure 4; column 1 line 59 to column 2 line 25; and column 5 line 59 to column 6 line 11); therefore, the combination of Baker and Hu explicitly teaches or suggests that the user is authorized access only if the password agrees with the stored information and if said user status is "enabled".

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

(B) Argument: The user ID, user password, and client address are not transmitted through the public network or the Internet to the network resources. Hence, there is no communication means at said client for passing user ID, user password and client address to the network resources.

Response: Baker explicitly discloses that the communication means at the client for passing the ID, password, and address (URL) to the server via the network in response to a request (figures 1 and 3; column 4 lines 1-22; and column 7 lines 3-16).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e. the network resources,) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

(C) Argument: Hu does not disclose any storing of status information, which is one of enabled, disabled or active.

Response: Hu explicitly discloses that the client for storing a unique client address (figure 3; and column 4 lines 18-58) and dynamic status information respecting the user (client identity with security associated with the user status), the status information being one of enabled, disabled or active (figure 4; column 1 line 59 to column 2 line 25; and column 5 line 59 to column 6 line 11).

(D) Argument: Lastrange fails to teach or suggest any "help" information or any way to derive such help information from the dual screen concept, as taught by the present invention and as recited in claims 13 and 14.

Response: LaStrange explicitly teaches or suggests a system providing information on a client's browser screen in response to a request from a user (see abstract; and figure 1) comprising: a two frame window on the browser screen; an icon or symbol button associated with a first frame window; and link means between the client and a server whereby activation of the icon or symbol button retrieves information relating to subject matter displayed on a second frame window from the server (see abstract; figures 5-6s; column 4 lines 3-47; column 4 line 53 to column 5 line 51).

However, LaStrange does not explicitly disclose that the information is the help information, the icon or symbol button is a help button, the first frame window is a dashboard frame window, and the second frame window is a context frame window, but it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify LaStrange with the information as a help information (consider link information is a help information), the icon or symbol button as a help button (consider symbol is associated with help button), the first frame window as a dashboard frame window (consider page 1 contents including link is a dashboard frame window), and the second frame window as a context frame window (consider page 2 contents is a context frame window) for providing information on a client's browser screen in response to a request from a user because doing so would provided help information from the server without over writing on the original (displayed) information; therefore, LaStrange

explicitly teaches or suggests any "help" information or any way to derive such help

information from the dual screen concept, as taught by the present invention.

(E) Argument: The Examiner has not cited a reference or evidence, which would have

rendered the element obvious. Furthermore, the Examiner alleges that Davis teaches

the remaining elements of claim 27. Davis does not appear to teach backup means to

periodically transfer stored information from the volatile memory to a non-volatile

memory. Davis does not even appear to teach a system for storing information

respecting a plurality of applications to a shared memory.

Response: Davis explicitly teaches or suggests a system for storing information

respecting a plurality of applications to a shared memory (figures 2-3 and 5; column 7

lines 30-49; and column 8 lines 6-13 and 43-53) comprising: a volatile memory for

storing the information (figure 2; and column 7 lines 30-49); means to allocate space in

the volatile memory to selected ones of the plurality of applications; identification means

for identifying the space allocated to each of the selected applications (figure 3; column

8 line 6 to column 9 line 2); and backup means to periodically transfer stored

information from the volatile memory to non-volatile memory (figures 2-3; column 7 lines
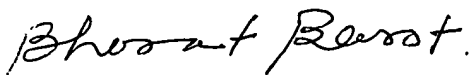
35-39; and column 9 lines 11-15 and 30-45).

However, Davis does not explicitly disclose that retrieves the information from the

non-volatile memory at system startup and stores the information to the non-volatile

memory at system shut down. But Davis explicitly discloses that ROM contains BIOS

system (figure 2; and column 7 lines 30-49); therefore, it would have been obvious and

known in the art at the time the invention was made to modify Davis with the

functionality of retrieve the information from the non-volatile memory at system startup

and store the information to the non-volatile memory at system shut down because

doing so would reduced data or information loss problem and saved data or information

for future use.

27.   For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Bharat Barot.

**BHARAT BAROT
PRIMARY EXAMINER**

Patent Examiner Bharat Barot

Art Unit 2155

June 08, 2006

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